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7 *Attorneys for Carrington Mortgage Services, LLC*

8  
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 CARRINGTON MORTGAGE SERVICES,  
12 LLC;

13 Plaintiff,

14 vs.

15 MONTECITO VILLAGE COMMUNITY  
ASSOCIATION; NEVADA ASSOCIATION  
16 SERVICES; PREMIER ONE HOLDINGS,  
INC.; DOE INDIVIDUALS I-X, inclusive, and  
17 ROE CORPORATIONS I-X, inclusive,

18 Defendants.

Case No. 2:16-cv-01780-JCM-PAL

**STIPULATION AND ORDER FOR  
DEADLINE TO FILE RENEWED  
MOTIONS FOR SUMMARY JUDGMENT**

**(FIRST REQUEST)**

19 Carrington Mortgage Services, LLC (**Carrington**), Montecito Village Community  
20 Association (**Montecito**), and Premier One Holdings, Inc. (**Premier One**), hereby stipulate and  
21 agree as follows:

22 On July 7, 2017, this court granted Montecito and Premier One's motions for summary  
23 judgment and denied Carrington's motion for summary judgment [ECF No. 38]. Carrington filed a  
24 notice of appeal to the United States Court of Appeals for the Ninth Circuit on August 3, 2017. On  
25 May 6, 2019, the Ninth Circuit issued an order stating that it had recently held that the Nevada  
26 statutory scheme that grants a homeowners association a lien with super-priority status is no longer  
27 controlled by the analysis in *Bourne Valley Court Trust v. Wells Fargo Bank, N.A.*, 832 F.3d 1154  
28 (9th Cir. 2016) in light of the Nevada Supreme Court's decision in *Bank of America, N.A. v. SFR*

1 *Investments Pool, LLC*, 427 P.3d 113 (Nev. 2018). Because the instant case raises similar issues and  
 2 procedural posture, the Ninth Circuit was inclined to vacate the district court's decision and remand  
 3 for further consideration. No objections were filed, and the case was remanded on July 18, 2019  
 4 [ECF No. 45] for further proceedings.

5 Based on the remand, the parties stipulate that re-filing summary judgment motions is  
 6 appropriate and agree summary judgment briefs shall be due **September 16, 2019**.

7 DATED this 19th day of August, 2019.

<p>8 <b>AKERMAN LLP</b></p> <p>9 <u>/s/ Tenesa S. Powell</u></p> <p>10 NATALIE L. WINSLOW, ESQ. Nevada Bar No. 12125</p> <p>11 TENESA S. POWELL, ESQ. Nevada Bar No. 12488</p> <p>12 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134</p> <p>13 <i>Attorneys for Carrington Mortgage Services, LLC</i></p>	<p><b>MORRIS LAW CENTER</b></p> <p><u>/s/ Timothy Wiseman</u></p> <p>SARAH A. MORRIS, ESQ. Nevada Bar No. 8461</p> <p>TIMOTHY A. WISEMAN, ESQ. Nevada Bar No. 13786</p> <p>5450 W. Sahara Avenue, Suite 330 Las Vegas, NV 89146</p> <p><i>Attorney for Premier One Holdings, Inc.</i></p>
<p>15 <b>ALVERSON, TAYLOR, MORTENSEN &amp; SANDERS</b></p> <p>16 <u>/s/ Kurt Bonds</u></p> <p>17 KURT R. BONDS, ESQ. Nevada Bar No. 6228</p> <p>18 6605 Grand Montecito Parkway, Suite 200 Las Vegas, NV 89149</p> <p>19 <i>Attorneys for Montecito Village Community Association</i></p>	

21 **ORDER**

22 **IT IS SO ORDERED:**

23   
 24 **UNITED STATES DISTRICT COURT JUDGE**

25 August 29, 2019  
 26 DATED: \_\_\_\_\_

AKERMAN LLP

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